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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,276	12/19/2001	Robert H. Wilson	LEAR 0819 PUS	5539

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EXAMINER

AU, SCOTT D

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,276

Applicant(s)

WILSON, ROBERT H.

Examiner

Scott Au

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-21-2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/2</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The application of Wilson for a "Universal garage door operating system and method" filed December 19, 2001 has been examined.

Claims 1-30 are pending.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 6, 8, 12, 14, 20, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222).

Referring to claims 1, 8, 14 and 23, Mays discloses the a garage door operation system comprising a wireless garage door transmitter, a system and method for actuating the garage door transmitter comprising:

a vehicle transceiver (46 and 48) (i.e. control units) for receiving a wireless interrogation signal (i.e. query signal) and automatically transmitting a wireless garage door transmitter control signal in response thereto (col. 4 lines 9-17; see Figure 2); and

a control module (36) (i.e. a controller) for mounting in a structure comprising a garage the control module adapted to receive the garage door transmitter, the control module comprising,

a transceiver (54 and 56) (i.e. transmitter and receiver) for automatically transmitting the interrogation signal, and for receiving the garage door transmitter control signal (col. 4 lines 9-17; see Figure 2),

a controller (50) (i.e. a control circuit) to be provided in communication with the transceiver (54 and 56) (i.e. transmitter and receiver) for generating a garage door transmitter actuator control signal in response to the garage door transmitter control signal (col. 4 lines 9-17; see Figure 2).

However, Mays did not explicitly disclose an actuator to be provided in communication with the controller, the actuator for activating the garage door transmitter in response to the garage door actuator control signal so that the garage door transmitter transmits a wireless garage door control signal for use in operating a garage door.

In the same field of endeavor of remote control system and method, Welty discloses an actuator (50) (i.e. a RF driver) to be provided in communication with the controller (42) (i.e. a processor), the actuator for activating the garage door transmitter in response to the garage door actuator control signal so that the garage door transmitter transmits a wireless garage door control signal for use in operating a garage door (col. 2 lines 49-55, col. 3 lines 7-43 and col. 7 lines 30-

52; see Figures 1 and 5) in order to operate each of the different types of electrically operable equipment.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a programmable UHF transmitter to operate home appliances with RF transmission or infrared transmission disclosed by Welty into garage system and method of Mays with the motivation for doing so would allow a wireless signal is transmitted to operate the garage mechanism device.

Referring to claims 3 and 24, Mays in view of Welty disclose a system and method of claims 1 and 23, Mays discloses wherein the vehicle transmitter is for use by a vehicle occupant (col. 1 lines 18-24).

Referring to claims 6, 12, 20 and 28, Mays in view of Welty disclose a system and method of claim 1, Welty discloses wherein the garage door transmitter control signal includes an identification code, and wherein the controller determines if the identification code is valid and generates the garage door transmitter actuator control signal in response to the garage door transmitter control signal only if the identification code is determined valid (col. 2 lines 50-54).

Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222) as applied to claims 1 and 8 above, and further in view of Van Lente et al. (US# 5,691,848).

Referring to claims 2, 9 and 25, Mays in view of Welty disclose the system and method of claims 1 and 8. However, Mays in view of Welty did not explicitly disclose wherein the vehicle transceiver is to be mounted in the vehicle.

In the same field of endeavor of garage control system and method, Van Lente et al. disclose wherein the vehicle transceiver is to be mounted in the vehicle (col. 3 lines 58-60) or other suitable locations.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the vehicle transceiver is to be mounted in the vehicle disclosed by Van Lentre et al. into garage system and method of Mays in view of Welty with the motivation for doing so would allow the transceiver device to be removed or mounted at the choice of the user.

Referring to claim 25, Mays in view of Welty and Van Lente et al. disclose a method of claim 24, claim 25 is equivalent to that of claims 2 and 9 addressed above, incorporated herein. Therefore, claim 25 is rejected for same reasons given with respect to claims 2 and 9.

Claims 4, 10, 18 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222) as applied to claims 1,8,14 and 23 above, and further in view of Farina et al. (US# 4,167,833).

Referring to claims 4, 10, 18 and 26, Mays in view of Welty disclose the system and method of claims 1, 8, 14 and 23. However, Mays in view of Welty did not explicitly disclose wherein the control module further comprises a battery for providing electrical power to at least the actuator.

In the same field of endeavor of garage door system and method, Farina et al. disclose the control module further comprises a battery for providing electrical power to at least the actuator (col. 4 lines 42-46; see Figure 6) in order to supply power to all the receiver components.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the receptacle box comprises a battery for providing electrical power for all receiver components disclosed by Farina et al. into garage system and method of Mays in view of Welty with the motivation for doing so would allow the control module operated with battery power.

Claims 5, 11, 19 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222) as applied to claims 1,8,14 and 23 above, and further in view of Schofield et al. (US# 6,362,771).

Referring to claims 5, 11, 19 and 27, Mays in view of Welty disclose the system and method of claims 1, 8, 14 and 23. However, Mays in view of Welty did not explicitly disclose wherein the actuator comprises a solenoid, the garage door transmitter includes a transmitter activation button, and the solenoid is adapted to be positioned adjacent the transmitter activation button.

In the same field of endeavor of garage door system and method, Schofield et al. disclose the actuator (26) (i.e. an electro-mechanical actuator) comprises a solenoid (28) (i.e. solenoid), the garage door transmitter includes a transmitter activation button (19) (i.e. actuation button), and the solenoid (28) is adapted to be positioned adjacent the transmitter activation button (19) (col. 3 lines 6-16; see Figure 2) in order to operate garage door opener.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the actuator comprises a solenoid, the garage door transmitter includes a transmitter activation button, and the solenoid is adapted to be positioned adjacent the transmitter activation button disclosed by Schofield et al. into garage system and method of Mays in view of Welty with the motivation for doing so would allow the actuator function to communicate with the door mechanism.

Claims 7, 13 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222) as applied to claims 1 and 8 above, and further in view of Waggamon et al. (US# 6,049,289).

Referring to claims 7 and 13, Mays in view of Welty disclose the system and method of claims 1 and 8. However, Mays in view of Welty did not explicitly disclose wherein the garage door transmitter control signal is encrypted, and wherein the vehicle transceiver is adapted to encrypt the garage door transmitter control signal and the controller is adapted to decrypt the garage door transmitter control signal.

In the same field of endeavor of remote controlled garage door system and method, Waggamon et al. disclose wherein the garage door transmitter control signal is encrypted, and wherein the vehicle transceiver (40) (i.e. a transmitter) is adapted to encrypt the garage door transmitter control signal and the controller (42) (i.e. a receiver with processor) adapted to decrypt the garage door transmitter control signal (col. 4 lines 31-37; see Figure 2) in order to activate the drive mechanism (64).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include a transmitter is operable to transmit an encrypted hopping code signal and the receiver is operable to receive and decrypted hopping code signal disclosed by Waggamon et al. into garage system and method of Mays in view of Welty with the motivation for doing so would allow the receiver to decode the encoded transmission signal to operate the garage door system.

Referring to claim 30, Mays in view of Welty, Van Lente et al. and Waggamon et al. disclose a method of claim 24, claim 30 is equivalent to that of claim 13 addressed above, incorporated herein. Therefore, claim 30 is rejected for same reasons given with respect to claim 13.

Claims 15-17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222) as applied to claim 14 above, and further in view of Dykema et al. (US# 5,661,804)

Referring to claim 15, Mays in view of Welty disclose the system and method of claim 14. However, Mays in view of Welty did not explicitly disclose further comprising providing a vehicle transmitter for use in transmitting the garage door transmitter control signal.

In the same field of endeavor of garage door control system and method, Dykema et al. disclose further comprising providing a vehicle transmitter for use in transmitting the garage door transmitter control signal (col. 6 lines 29-46; see Figure 5) in order to operate a garage door.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include vehicle transmitter for use in transmitting the garage door transmitter control signal disclosed by Dykema et al. into garage system and method of Mays in view of Welty with the motivation for doing so would

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allow the user to have more convenience to operate the car and garage door system with one device.

Referring to claim 16, Mays in view of Welty and Dykema et al disclose a method of claim 15, claim 16 is equivalent to that of claims 2 and 9 addressed above, incorporated herein. Therefore, claim 16 is rejected for same reasons given with respect to claims 2 and 9.

Referring to claim 17, Mays in view of Welty and Dykema et al disclose a method of claim 15, claim 17 is equivalent to that of claim 24 addressed above, incorporated herein. Therefore, claim 17 is rejected for same reasons given with respect to claim 24.

Referring to claim 22, Mays in view of Welty and Dykema et al. disclose a method of claim 15, claim 22 is equivalent to that of claim 7 addressed above, incorporated herein. Therefore, claim 22 is rejected for same reasons given with respect to claim 7.

Claims 21 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mays (US# 6,634,408) in view of Welty (US# 5,109,222) as applied to claims 14 and 23 above, and further in view of Waggamon et al. (US# 6,049,289).

Referring to claims 21 and 29, Mays in view of Welty disclose the system and method of claims 14 and 23. However, Mays in view of Welty did not explicitly disclose wherein the garage door transmitter control signal is encrypted, and the controller is adapted to decrypt the garage door transmitter control signal.

In the same field of endeavor of remote controlled garage door system and method, Waggamon et al. disclose wherein the garage door transmitter control signal is encrypted, and the controller is adapted to decrypt the garage door transmitter control signal (col. 4 lines 31-37; see Figure 2) in order to activate the drive mechanism (64).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the garage door transmitter control signal is encrypted, and the controller is adapted to decrypt the garage door transmitter control signal disclosed by Waggamon et al. into garage system and method of Mays in view of Welty with the motivation for doing so would allow the receiver to decode the encoded transmission signal to operate the garage door system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tolson (US# 3,456,387) discloses a fail-safe system automatically operates one or more closures.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Au whose telephone number is (703) 305-4680.

The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached at (703) 305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Scott Au

DA

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